

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v.-

: SUPERSEDING  
: INDICTMENT

XING WU PAN,  
a/k/a "Oliver Pan," and  
JIA HOU,  
a/k/a "Jenny Hou,"

:  
: S1 12 Cr. 153 (RJS)

:  
: Defendants. :  
- - - - - x

COUNT ONE

The Grand Jury charges:

The Defendants

1. At all times relevant to this Indictment, XING WU PAN, a/k/a "Oliver Pan," the defendant, was an individual who sought to raise money for the 2013 campaign of a candidate (the "Candidate") for citywide elective office in the City of New York (the "City").

2. From at least in or about December 2010, up to and including at least in or about February 2012, JIA HOU, a/k/a "Jenny Hou," the defendant, was the treasurer for the 2013 campaign of the Candidate.

The Scheme to Defraud

3. "Straw Donors" are individuals who, in violation of campaign finance laws, make campaign contributions in their own names with money they have received from other individuals or for which they receive reimbursement from other individuals.

4. XING WU PAN, a/k/a "Oliver Pan," and JIA HOU, a/k/a "Jenny Hou," the defendants, together with others known and unknown, engaged in a scheme to defraud the City by using Straw Donors, and by taking steps to conceal the use of Straw Donors, to attempt to obtain campaign matching funds through interstate wires to support the Candidate's campaign for Citywide elective office.

#### Statutory Allegations

5. From at least in or about 2009, up to and including in or about February 2012, in the Southern District of New York and elsewhere, XING WU PAN, a/k/a "Oliver Pan," and JIA HOU, a/k/a "Jenny Hou," the defendants, and others known and unknown, willfully and knowingly combined, conspired, confederated and agreed together and with each other to violate Section 1343 of Title 18, United States Code.

6. It was a part and object of the conspiracy that XING WU PAN, a/k/a "Oliver Pan," and JIA HOU, a/k/a "Jenny Hou," the defendants, and others known and unknown, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, willfully and knowingly would and did transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing

such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

OVERT ACTS

7. In furtherance of said conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about July 10, 2011, JIA HOU, a/k/a "Jenny Hou," the defendant, spoke to a volunteer for the Candidate's campaign about imitating the handwriting of campaign donors on donor contribution forms.

b. On or about July 14, 2011, HOU offered to reimburse an individual if the individual made a campaign donation to the Candidate.

c. On or about August 17, 2011, XING WU PAN, a/k/a "Oliver Pan," the defendant, during a fundraising event (the "Event") for the Candidate, collected from Straw Donors completed fraudulent contribution forms and caused the forms to be submitted to HOU.

d. On or about August 17, 2011, during the Event, HOU and PAN reviewed the fraudulent contribution forms collected from Straw Donors.

(Title 18, United States Code, Section 1349.)

COUNT TWO

The Grand Jury further charges:

8. From at least in or about 2009 up to and including in or about February 2012, in the Southern District of New York and elsewhere, XING WU PAN, a/k/a "Oliver Pan," and JIA HOU, a/k/a "Jenny Hou," the defendants, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, willfully and knowingly did transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice and attempting to do so, to wit, PAN, HOU, and others engaged in a scheme to defraud the City by using Straw Donors, and by taking steps to conceal the use of Straw Donors, to attempt to obtain campaign matching funds through interstate wires, in order to support the Candidate's 2013 campaign for Citywide elective office.

(Title 18, United States Code, Sections 1349, 1343, and 2.)

COUNT THREE

The Grand Jury further charges:

9. From in or about December 2011, up to and including the present, in the Southern District of New York and elsewhere, JIA HOU, a/k/a "Jenny Hou," the defendant, willfully,

knowingly, and corruptly, did obstruct, influence, and impede official proceedings and attempt to do so, to wit, in response to Grand Jury subpoenas, HOU did not provide the Grand Jury with documents that she knew contained information that was responsive to the subpoenas in order to conceal that information.

(Title 18, United States Code, Section 1512(c)(2).)

COUNT FOUR

The Grand Jury further charges:

10. On or about February 27, 2012, in the Southern District of New York, JIA HOU, a/k/a "Jenny Hou," the defendant, in a matter within the jurisdiction of the executive branch of the Government of the United States, willfully and knowingly, did falsify, conceal, and cover up by trick, scheme, and device a material fact and did make materially false, fictitious, and fraudulent statements and representations, and did make and use a false writing and document knowing the same to contain materially false, fictitious, and fraudulent statements and entries, to wit, HOU falsely claimed to special agents with the Federal Bureau of Investigation that (a) the list of intermediaries publicly disclosed by the Candidate's campaign on or about January 17, 2012, contained the names of all intermediaries that HOU knew about and no one was left off, and that (b) in response to Grand

Jury subpoenas, HOU had produced all responsive documents, after, among other things, looking at every single email in her email account.

(Title 18, United States Code, Section 1001.)

FORFEITURE ALLEGATION

11. As a result of committing one or more of the wire fraud offenses alleged in Counts One and Two of this Indictment, XING WU PAN, a/k/a "Oliver Pan," and JIA HOU, a/k/a "Jenny Hou," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real or personal, constituting or derived from proceeds traceable to the wire fraud offenses alleged in Counts One and Two of the Indictment.

Substitute Asset Provision

12. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
  - b. has been transferred or sold to, or deposited with, a third person;
  - c. has been placed beyond the jurisdiction of the Court;
  - d. has been substantially diminished in value;
- or

e. has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981, 1343 and 1344; Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461.)

FOREPERSON



*Preet Bharrara*

PREET BHARRARA  
United States Attorney

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(18 U.S.C. §§ 1349, 1343, 2;  
18 U.S.C. § 1512(c);  
18 U.S.C. § 1001.)

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PREET BHARARA  
United States Attorney.

A TRUE BILL



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Foreperson.

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